

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF MASSACHUSETTS**

EILEEN GRADY,

Plaintiff,

V.

C.A. NO: 05-10097-JGD

WAREHAM POLICE DEPARTMENT,
TOWN OF WAREHAM,
THOMAS JOYCE, and
MICHAEL J. HARTMAN

Defendants.

JOINT MOTION TO AMEND THE SCHEDULING ORDER

The parties hereby jointly move to amend the Scheduling Order in this case by:

(1) extending the discovery deadline (including document requests) by thirty days to March 2, 2006; and (2) rescheduling the pretrial conference to March 9, 2006. In support of this Motion, the parties state the following:

1. This action was filed on January 14, 2005.
2. On May 11, 2005, Plaintiff filed a Motion For Leave To Amend Her Complaint (“Motion For Leave”) with the Court so that she could add counts of retaliation to the Complaint arising out of facts that, for the most part, occurred after the filing of this action. On May 31, 2005, Plaintiff’s Motion For Leave was allowed, and Plaintiff promptly filed her Amended Complaint with the Court. On June 2, 2005, Defendants filed their Answer to the Amended Complaint.
3. After receipt of the Answer to the Amended Complaint, Plaintiff served further discovery requests related to her retaliation claims.
4. The current Scheduling Order provides that the discovery deadline is January 31, 2006.
5. The pretrial conference is currently scheduled for February 9, 2006, at 2:30 p.m.

6. The parties have engaged in a significant amount of written discovery. Interrogatories have been served and answered. Requests for documents have been served, and documents have been produced. Plaintiff was required to file a motion to compel Defendants to produce certain documents, and the Court allowed said motion in part; however, Defendants need additional time to produce all documents required pursuant to the Court's order. Defendants anticipate producing all documents required pursuant to the Court's order by January 13, 2006.
7. The depositions of Lieutenant Paul Cardalino, Lieutenant Irving Wallace, Lieutenant Arthur Brightman, and Lieutenant Donald Bliss have been commenced and it may be necessary to continue those depositions after the Defendants have delivered documents not yet produced.
8. The deposition of Chief Thomas Joyce was commenced and will be continued on January 27, 2006. The Plaintiff anticipates that Chief Joyce's deposition will continue to a third day.
9. Additional depositions of other witnesses have been scheduled in January, 2006.
10. Plaintiff's first day of deposition has been scheduled for January 25, 2006; counsel for Defendants anticipates that the deposition will continue on one or more mutually agreeable future dates.
11. The parties would be unfairly prejudiced if they were not given adequate time to prosecute and defend the claims in this action and to complete the pending discovery.
12. On the other hand, no prejudice will inure to the parties from the allowance of this Motion.
13. The parties believe that enlarging time to complete discovery will be in their interests as well as the interest of justice.

WHEREFORE, in order to have sufficient time to complete discovery, the parties jointly request that the Scheduling Order be amended in this case by: (1) extending the discovery

deadline (including document requests) by thirty days to March 2, 2006; and (2) rescheduling the pretrial conference to March 9, 2006, or as soon thereafter as the Court's calendar permits.

Respectfully submitted,

Plaintiff, Eileen Grady,
By her attorneys,

Defendants Wareham Police Department, Town
Of Wareham, Thomas Joyce, and Michael J.
Hartman,
By their attorneys,

/s/ Barbara A. Robb
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Dated: January 10, 2006

/s/ Deborah I Ecker
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Dated: January 10, 2006